

APR 19 2012

US DISTRICT COURT
WESTERN DISTRICT OF NC

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

DOCKET NO. 3:10cr239-FDW

UNITED STATES OF AMERICA,

Plaintiff,

v.

EDWARD GERARD PAYTON,

Defendant.

CONSENT ORDER AND
JUDGMENT OF FORFEITURE

UPON the Defendant's plea of guilty, and finding that there is a substantial nexus between the property listed below and the offense(s) to which the Defendant has pled guilty and that the Defendant has or had a legal interest in the property, IT IS HEREBY ORDERED THAT:

1. The following property is forfeited to the United States pursuant to 18 U.S.C. §§ 981 and 982, and/or 28 U.S.C. § 2461(c):

Any and all currency and monetary instruments that were received as a result of the offenses alleged in the Superseding Bill of Information, including the sum of approximately \$67,298.33 in proceeds of the alleged violations.

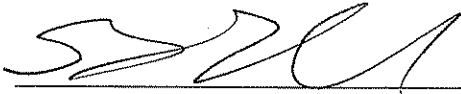
2. A forfeiture money judgment in the amount of \$67,298.33 shall be included in the sentence of the Defendant, and the United States Department of Justice may take steps to collect the judgment from any property of the Defendant, in accordance with the substitute asset provisions of 21 U.S.C. § 853(p);

The parties stipulate and agree that the aforementioned assets constitute property derived from or traceable to proceeds of defendant's crime(s) herein and are therefore subject to forfeiture pursuant to 18 U.S.C. §§ 981 and 982 and/or 28 U.S.C. § 2461(c). The Defendant hereby waives the requirements of Fed. R. Crim. P. 32.2 and 43(a) regarding notice of the forfeiture in the charging instrument, announcement of the forfeiture at sentencing, and incorporation of the forfeiture

24

in the judgment against Defendant.

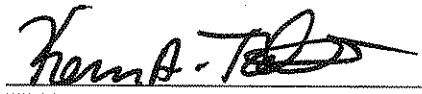
ANNE M. TOMPKINS
UNITED STATES ATTORNEY



BENJAMIN BAIN-CREED
Assistant United States Attorney

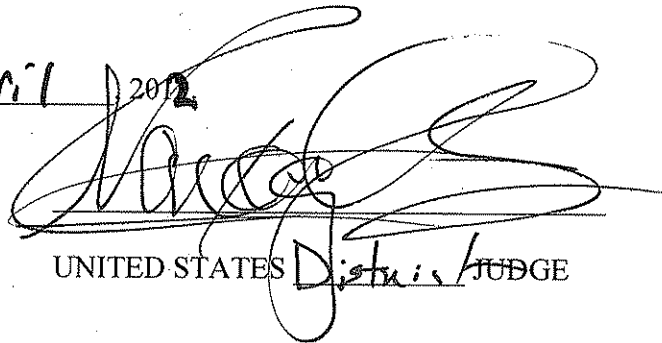


EDWARD GERARD PAYTON
Defendant



KEVIN TATE, ESQ.
Attorney for the Defendant

Signed this the 19 day of April 2012


UNITED STATES District JUDGE